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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 DARREN A. LUNFORD,
8

9 *Plaintiff,*

10 vs.

11 GREG COX, *et al.*,

12 *Defendants.*
13

3:13-cv-00375-RCJ-VPC

ORDER

14 Plaintiff, a Nevada state inmate, has filed an application (#1) to proceed *in forma*
15 *pauperis* seeking to initiate a civil rights action.

16 The pauper application is incomplete. Both a financial certificate properly completed
17 and executed by an authorized institutional officer and a statement of the plaintiff's inmate
18 trust fund account for the past six months are required by 28 U.S.C. § 1915(a)(2) and LSR1-2
19 of the local rules. Plaintiff did not attach a financial certificate executed by an authorized
20 institutional officer.

21 It does not appear from review of the allegations presented that a dismissal without
22 prejudice of the present improperly-commenced action would lead to a promptly-filed new
23 action being untimely. The earliest operative facts allegedly occurred in August 2, 2012, and
24 a two-year limitations period is applicable to civil rights actions arising out of Nevada.

25 IT THEREFORE IS ORDERED that the application to proceed *in forma pauperis* (#1)
26 is DENIED and that this action shall be DISMISSED without prejudice to the filing of a new
27 complaint on the required form in a new action together with either a new pauper application
28 with all required, and new, attachments or payment of the \$350.00 filing fee.

1 The Clerk of Court shall SEND plaintiff a copy of the papers that he filed along with the
2 complaint and pauper forms and instructions for both forms.¹

3 The Clerk shall enter final judgment accordingly, dismissing this action without
4 prejudice.

5 DATED: This 16th day of September, 2013.

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8 ROBERT C. JONES
9 Chief United States District Judge
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27 ¹When plaintiff files a new action, he should note that exhibits are not to be filed into the record
28 unless and until necessary to oppose a dispositive motion such as a motion for summary judgment. Once a
plaintiff instead has filed originals as exhibits improperly, the originals become part of the suit record and
may not be returned.